

**APPENDIX TO
CONFLICT OF INTEREST CODE
OF THE
ENCINA WASTEWATER AUTHORITY**

Preamble

Any person designated in Section I or II of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from the Authority's General Counsel. (Gov. Code § 83114, 2 Cal. Code of Regs. § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

If General Counsel renders an opinion stating in full the facts and the law upon which the opinion is based, compliance by the requesting party with such an opinion shall be evidence of good faith in any civil or criminal proceeding. Compliance with the opinion of General Counsel shall also act as a complete defense to any disciplinary action that the Authority may bring under Government Code section 91003.5.

Designated Employees

1. Designated employees listed in Column I must disclose sources of income, interests in real property, and all investments and business positions in business entities which manufacture, distribute, sell or supply the goods or services listed in Column II.

2. Reportable investments and business positions in any business entity, sources of income and interests in real property, are disclosable if held, regardless of any contractual relationship with the Authority at any time.

**COLUMN I
PUBLIC OFFICIAL'S FUNCTION OR
TITLE**

**COLUMN II
TYPE OF BUSINESS ENTITY, BUSINESS
POSITION, INVESTMENT, SOURCE OF
INCOME, OR REAL PROPERTY
DISCLOSABLE**

Members of the Board of Directors

1. Real property, including brokers

General Manager

2. Real estate development

Treasurer

3. Construction and building materials

Assistant General Manager

4. Engineering, surveying, architectural, and appraising

General Counsel

5. Soils testing, analysis, and compaction

**COLUMN I
PUBLIC OFFICIAL'S FUNCTION OR
TITLE**

**COLUMN II
TYPE OF BUSINESS ENTITY, BUSINESS
POSITION, INVESTMENT, SOURCE OF
INCOME, OR REAL PROPERTY
DISCLOSABLE**

Director of Environmental Compliance

Maintenance Superintendent

Operations Superintendent

Laboratory Supervisor

Purchasing Specialist

Member Agency Managers

Industrial Waste Control Inspectors

Safety and Training Coordinator

Management Assistant

Human Resources Manager

Assistant Superintendents

Enforcement Compliance Officer

Maintenance Coordinator

Systems Supervisor

Financial Services Manager

Engineering Services Manager

6. Pipes, valves, pumps, motors, meters or other sewer system materials, parts or equipment
7. Sewer system chemicals and supplies
8. Office equipment and supplies
9. Computer hardware, software, and computer services
10. Sewer testing equipment, supplies and service
11. Motor vehicles, construction equipment, parts and service
12. Equipment rental
13. Petroleum products
14. Safety equipment and supplies
15. Newspapers, printing and reproduction services
16. Banks and savings and loans
17. Title insurance and escrow
18. Financial audit services
19. Insurance, including brokers and agencies
20. Employment and manpower agencies
21. Business positions of director, officer, partner, trustee, employee or position of management which is held in business entity.

3. The officials listed below are also “designated employees” who are subject to the provisions of this Code. Each such designated employee is required to disclose interests only in those categories set forth above which are identified by the numbers listed opposite his or her title.

COLUMN I PUBLIC OFFICIAL’S FUNCTION OR TITLE	COLUMN II TYPE OF BUSINESS ENTITY, BUSINESS POSITION, INVESTMENT, SOURCE OF INCOME, OR REAL PROPERTY DISCLOSABLE
Auditor	9, 16, 18, 21
Secretary	8, 15, 20, 21
<u>Consultants:</u>	
Appraisers	1, 2, 17, 21
Auditor	9, 16, 18, 21
Engineering Consultants	1, 2, 3, 4, 5, 6, 7, 9, 10, 21
Architectural Consultants	1, 2, 3, 4, 5, 6, 7, 9, 10, 21
Financial Consultants	1, 2, 21
EIR Consultants	1, 2, 4, 5, 21
Public Information Consultants	15, 21
Insurance Consultants	19, 21
Data Processing Consultants	8, 9, 21
Other Consultants, including Special Counsel ¹	

¹ With respect to Other Consultants, including but not limited to Special Counsel, the General Manager may determine in writing that a particular consultant or special counsel is hired to perform a range of duties that are limited in scope and thus is not required to comply with all the disclosure requirements described in these categories. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager shall forward a copy of this determination to the San Diego County Board of Supervisors. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.